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13 TARA HILLS DRIVE LIMITED, a California limited partnership

**UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA
SAN FRANCISCO DIVISION**

17 TARA HILLS DRIVE LIMITED, a California
18 limited partnership.

19 Plaintiff,

20 | V.

21 DARRYL L. PETKER; SHAUNA M. PETKER;
22 MYONG-POX-HAN; CHAN NAN HAN; PETER
H. KIM; IN SOO OH; CHAN IM OH; and DOES 1
through 100, inclusive.

25 Defendants.

25 | AND RELATED CROSS-ACTIONS

I. STIPULATION

28 Pursuant to Civil L.R. 7-12, Plaintiff and Counter-Defendant Tara Hills Drive Limited ("Tara

Hills"); Defendants, Counter-Claimants, Cross-Claimants, and Cross-Defendants In Soo Oh and Chan Im Oh (the "Ohs"); Defendant, Counter-Claimant, Cross-Claimant, and Cross-Defendant Darryl L. Petker; and Defendant and Cross-Defendant Shauna Anderson McCall (collectively the "Parties"), by and through their undersigned counsel, stipulate as follows:

WHEREAS, by this Court's order this matter has been stayed until February 16, 2019, which stay was in deference to oversight of California Department of Toxic Substances Control ("DTSC") regarding PCE remediation at 1577 Tara Hills Drive, Pinole, CA ("Property") and to permit the parties to mediate this matter.

WHEREAS, a Status Conference is currently scheduled for February 19, 2019;

WHEREAS, the Parties mediated this matter on February 5, 2019 and came to a conditional settlement of it and it is anticipated that the matter will be finally resolved and dismissals will be entered within 45 to 60 days.

WHEREAS, the case was administratively closed March 31, 2015 and may be reopened and returned to the Court's active docket, as set forth in the Court's Order dated August 4, 2015;

WHEREAS, the parties' agree an additional stay and continuance of the Status Conference to April 2019 is warranted to permit the parties to finalize their conditional settlement and to permit dismissals to be filed assuming the settlement is finalized;

NOW THEREFORE, the parties respectfully request that the Court stay this action up to and including April 25, 2019 and agree, stipulate and request that the Status Conference set to be held on February 19, 2019 be continued to April 25, 2019 or a date soon thereafter to be set by the Court.

IT IS SO STIPULATED AND AGREED.

Dated: February 6, 2019

SMITH, CURRIE & HANCOCK, LLP

By /s/ Marc L. Sherman

Marc L. Sherman
Attorney for Plaintiff and Counter Defendant
TARA HILLS DRIVE LIMITED, a California limited
partnership

1 Dated: February 6, 2019

MURPHY, PEARSON, BRADLEY & FEENEY, P.C.

2 By /s/ Erik P. Weiss

3 John P. Girarde
4 Erik P. Weiss
5 Attorneys for Defendants/Counter-Claimants/Cross-
6 Claimants
7 IN SOO OH and CHAN IM OH

8 Dated: February 6, 2019

GIZZI & REEP, LLP

9 By /s/ Mark Mitchell

10 Stephen Gizzi
11 Scott D. Reep
12 Mark Mitchell
13 Attorney for Defendant/Counter-Claimant/Cross-Claimant
14 DARRYL L. PETKER

15 Dated: February 6, 2019

16 By /s/Matthew T. Powers

17 Matthew T. Powers
18 Attorney for Defendant/Counter-Claimant/Cross-Claimant
19 SHAUNA ANDERSON MCCALL

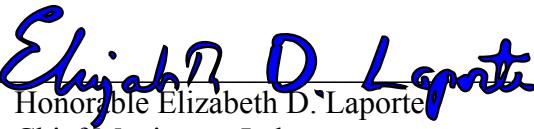
20 MODIFIED

21 ~~[PROPOSED] ORDER~~

22 Pursuant to the stipulation of the parties, and good cause appearing therefor, the Court stays
23 this action up to and including April ³⁰~~25~~, 2019 and that the Status Conference set for February 19, 2019
24 shall be continued to April ³⁰~~25~~, 2019 at 10:00 a.m. The parties shall have filed dismissals of this action
25 or submit a joint status conference statement on or before April 18, 2019 advising the Court on all
applicable issues including, the results of the mediation.

26 PURSUANT TO STIPULATION, IT IS SO ORDERED.
27

28 DATED: February 7, 2019


Honorable Elizabeth D. Laporte
Chief Magistrate Judge

29 The filing attorney attests that he has obtained concurrence regarding the filing of this
30 document and its content from the signatories to this document.